REMARKS

In the Official Action mailed 26 December 2006, the Examiner reviewed claims 1-25. With this response, Claim 26 has been newly added.

The Examiner has rejected claims 1-3, 7, 9-11, 14-20, 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over Boyd et al. (U.S. 6,112,238) in view of Whiting (U.S. Publication 2002/0156552). Claims 4, 6, 8, 12, 13, 21 and 23 are also rejected under 35 U.S.C. §103(a) as being unpatentable over Boyd, in view of Whiting as applied to Claim 1, and further in view of Casati (U.S. Publicaiton 2003/0084142). Finally, Claims 5 and 22 are also rejected under 35 U.S.C. §103(a) as being unpatentable over Boyd, in view of Whiting and further in view of Casati as applied to Claim 4, and further in view of Stuart et al. (U.S. 6,661,431).

The Technology

As set out in the Background of the Invention, the problem faced by the inventors named in the present application was a need to determine the effectiveness of advertising presented to users during navigation across multiple websites on the Internet. A visualization of that problem can be seen in Fig. 2:
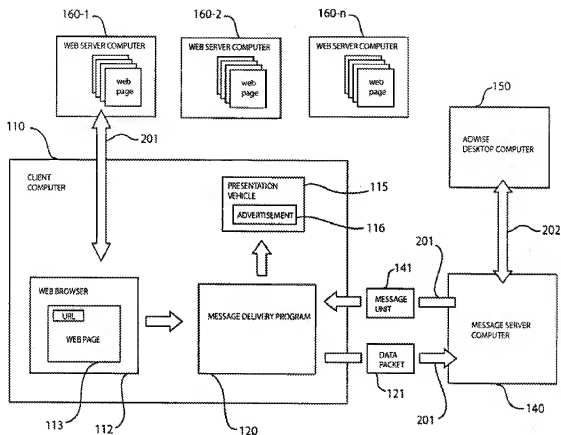
FIG. 2

As shown, the message server 140 interacts with a client computer 110, which in turn interacts with web servers 160-1 .. 160-n. Critical to note, however, is that at the same time, message server 140 interacts with not just one, but a number, of clients 110-1 ,, 110-n, as shown in Fig. 5:
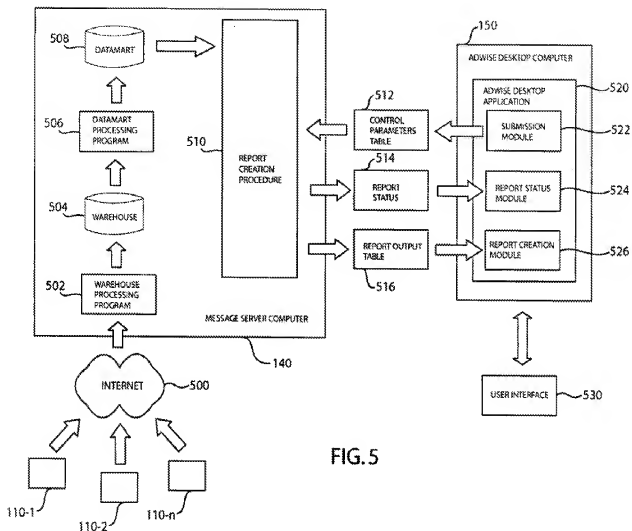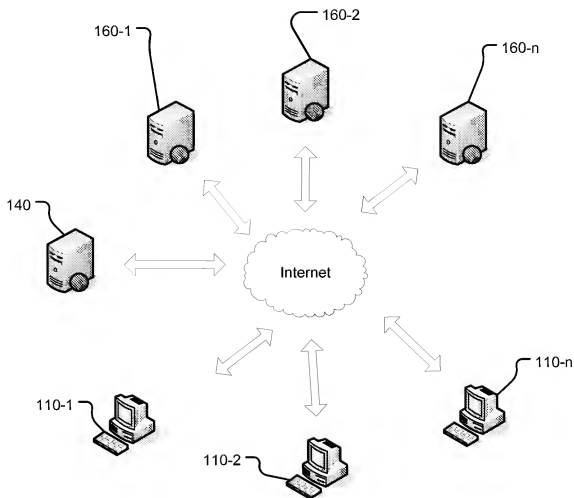
FIG. 5

Combining these drawings produces an overall architecture as shown in the composite drawing below:

This drawing depicts the relationships among the various devices, with multiple client computers 110-1 .. 110-n communicating with multiple web servers 160-1 .. 160-n, and message server 140, all linked by the Internet. The problem of the present application is that message server 140 needs to track the actions of all of the client computers 110-1 .. 110-n with all of the webservers 160-1 .. 160-n.

That situation is entirely unlike that faced in the cited art, which face only the task of tracking usage on a single server, with which a direct communication link is established, as seen in either Boyd (Fig. 1)
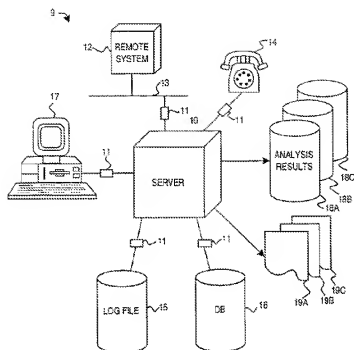
or Whiting

Fig. 1
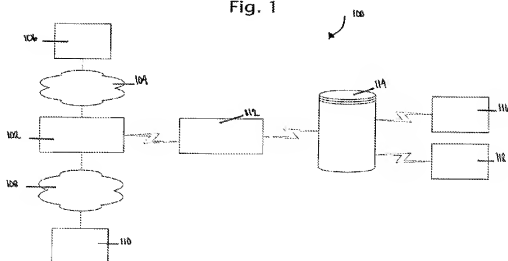
Both Boyd and Whiting monitor traffic on the **server** not the client. The difference is crucial, because a server is located at a business, controlled by an entity that wants the monitoring to

occur and available for access. Monitoring requires software, which must be installed in the system.

The problems, then, can be summarized as gaining initial access to a client system to have the software installed, and then gaining access to obtain the usage data. Boyd and Whiting would solve the problem of monitoring a webserver, such as 160-2, for example, to determine how an advertisement works there, but that solution has no bearing on the problem of determining how ads that run on a large number of client systems either work or do not work.

The claims clearly set out the limitation that the system gathers data from a plurality of client computers, Claim 1 reciting "receiving navigation histories from a plurality of client computers on the Internet, each of the navigation history identifying different websites visited by a user of a client computer in the plurality of client computers." Further, newly added Claim 26 recites, "capturing navigation histories on a plurality of client computers on the Internet, each navigation history identifying websites visited by a user of the client computer; receiving the navigation histories at a server."

Neither Boyd nor Whiting discloses a system that suffices to gather information from client computers. That distinction is crucial, as set out above. Given that fact, it is respectfully suggested that the rejection under Section 103 be withdrawn.

CONCLUSION

It is respectfully submitted that this application is now in condition for allowance.

Fee Authorization. The Commissioner is hereby authorized to charge any additional fee(s) determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (CLAR 1041-1).

Respectfully submitted,

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